

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION Original Supplemental Substitute PCT

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below), or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Device for Analyzing Particles and Method of Use

(Title of the Invention)

the specification of which (check one)

is attached hereto

was filed on _____ as U. S. Application Serial Number or PCT

International Application Number _____

and was amended _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified, by checking the box below, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Applications			Priority Claimed		Copy Attached	
Application Number	Country	Foreign Filing Date (MM/DD/YYYY)	YES	NO	YES	NO

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below and claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application(s) designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Inventors: Shailesh P. Mehta
For: Device for Analyzing Particles and Method of Use
Filed: March 8, 2002
Declaration for Patent Application
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Attorney Docket No.: P2T-1

Parent Application Number	Filing Date	Status (Mark Appropriate Column Below)		
		Patented	Pending	Abandoned
<u>60/273837</u>	<u>March 08, 2001</u>		<u>✓</u>	

As a named inventor, I hereby revoke all prior powers and appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Attorney and/or Agent	Registration No.
<u>Mishrilal Jain</u>	<u>29,315</u>

Attorney and/or Agent	Registration No.

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11620 Masters Run
Ellicott City, MD. 21042-1537

Direct telephone calls to: Dr. Mishrilal Jain (410) 715-4514

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Shailesh P. Mehta

Inventor's signature Shailesh P. Mehta Date March 7, 2002

Residence Florida, USA

Citizenship India

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SMALL ENTITY DECLARATION
[37 CFR 1.9(c-f)]

Each undersigned declares that:

- (1) the application attached hereto.
 (2) U.S. Application Serial No. _____ filed _____
 (3) U.S. Patent No. _____ issued _____

is entitled to the benefits of "small entity" status for paying reduced fees under 35 USC 41(a) and (b) to the Patent and Trademark Office by virtue of the following:

- (4) Each undersigned declares that he/she qualifies as an independent inventor, or would qualify had he/she made the invention, as defined in 37 CFR 1.9(c).
 (5) The undersigned declares that he/she is an official empowered to act on behalf of the concern identified below; that this concern qualifies as a small business concern as defined in 37 CFR 1.9(d).
 (6) The undersigned declares that he/she is an official empowered to act on behalf of the organization identified below; that this organization qualifies as a nonprofit organization as defined in
 (a) 37 CFR 1.9(e)(1)
 (b) 37 CFR 1.9(e)(2)
 (c) 37 CFR 1.9(e)(3)
 (d) 37 CFR 1.9(e)(4) State law of _____

(7) Each person, concern or organization to which I/we have assigned, granted, conveyed or licensed, or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- (a) no such person, concern or organization
 (b) persons, concerns or organizations listed below

[a separate declaration is required from each named person, concern or organization having rights to this invention according to their status as "small entities."]

Full Name Shailesh P. Mehta

Address 10000 Southwest 52nd Avenue, Apt. G6193, Gainesville FLA 32608

Individual Small Business Concern Nonprofit Organization

I/we acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I/we hereby declare all statements made herein of his/her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

(8) Shailesh P. Mehta

Typed Name of Inventor

Signature

March 7, 2002

Date

Typed Name of Inventor

Signature

Date

(9) Name of Small Business Concern or Nonprofit Organization

Typed Name

Signature

Date

Tide of Signatory